

REMARKS

This Amendment is filed in response to the non-final Office Action dated April 30, 2008. The amendments and how they respond to the rejections set forth in the Office Action are explained below in detail. Accordingly, favorable reconsideration on the merits and allowance of remaining claims 9, 11 and 12 is respectfully submitted to be proper.

In the present Amendment, claims 1-8, 10 and 13-20 have been canceled without prejudice.

Claim 9 has been amended to recite that the low-turnover bone disease is adynamic bone disease. Support for this amendment can be found in the original specification on page 3 at lines 11-17, for example.

Claim 11 has been amended to depend from claim 9.

No new matter has been added. Entry of the Amendment is respectfully submitted to be proper. Upon entry of the Amendment, claims 9, 11 and 12 will be all the claims pending in the application.

I. Response to Rejection Under 35 U.S.C. § 101

Claims 13-16 were rejected under 35 U.S.C. § 101 as assertedly being directed to a non-statutory subject matter. Furthermore, those claims were assertedly not supported by either a specific asserted utility or a well established utility.

Applicants respectfully submit that the rejection of claims 13-16 is moot, because claims 13-16 were canceled. Withdrawal of the rejection is therefore respectfully submitted to be proper.

II. Response to Rejection Under 35 U.S.C. § 112

Claims 13-16 were rejected under 35 U.S.C. § 112, first paragraph, assertedly because the claimed invention is neither supported by a specific asserted utility or by a well established utility.

Applicants respectfully submit that the rejection of claims 13-16 is moot, because claims 13-16 were canceled. Withdrawal of the rejection is therefore respectfully submitted to be proper.

III. Response to Rejection Under 35 U.S.C. § 102(b) Based on Uehara

Claims 1, 4, 5 and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,562,901 ("Uehara").

Applicants respectfully submit that the rejection of claims 1, 4, 5 and 8 is moot, because these claims were canceled. Withdrawal of the rejection is therefore respectfully submitted to be proper.

IV. Response to Rejection Under 35 U.S.C. § 102(b) Based on Sonobe

Claims 1-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,830,753 ("Sonobe").

Claims 1-8, 10 and 13-20 have been canceled in the present amendment to the claims. Claims 9, 11 and 12 are pending. Applicants respectfully submit that claim 9, directed to a method of treating or preventing adynamic bone disease comprising administering to a subject in need thereof a spherical activated carbon in an effective amount, does not read on Sonobe, because Sonobe does not describe a method according to present claim 9.

Claims 11 and 12 depend from claim 9 and are therefore patentable over Sonobe for at least the reasons mentioned with respect to the patentability of claim 9. Thus, Applicants respectfully request that the rejection of claims 9, 11 and 12 based on Sonobe be withdrawn.

Applicants therefore respectfully traverse and request reconsideration and withdrawal of the rejection with respect to remaining claims 9, 11 and 12 in view of the amendments to the claims and the foregoing remarks.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the local Washington, D.C. telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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CUSTOMER NUMBER

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